

M E M O R A N D U M

TO: Members, Public Disclosure Commission

FROM: Philip E. Stutzman, Director of Compliance

DATE: March 22, 2005

SUBJECT: Status of Compliance Cases

Enclosed is an update of all compliance activity since my last memo to you dated February 11, 2005. If you would like additional information, please let me know.

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Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

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Part I

Investigations Completed

Cases Scheduled For Hearing:

Scheduled for Full Enforcement Hearing:

City of Vancouver (City Officials) -- Case #02-286; Investigator: Suemary Trobaugh

Date Received: January 30, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: February 13, 2002

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Kelly Hinton alleging that officials of the City of Vancouver used city facilities to support a February 5, 2002, local ballot proposition. An enforcement hearing before the Full Commission was scheduled for February 22, 2005 with Respondents Don Bivens, Fire Chief, Vancouver Fire Department, Marilyn Westlake, Education Outreach Coordinator, Vancouver Fire Department, and Marty James, Administrator, Clark County Fire District 5. However, the enforcement hearing has been continued and is scheduled to be held at the March 31, 2005 special Commission meeting.

Disposition: Pending

Pierce County Officials (John Ladenburg) -- Case #04-440; Investigator: Kurt Young

Date Received: March 3, 2004

Date Started: March 3, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: Three separate complaints were received from David Franta, Donald Veal, and Dale Washam, alleging that officials of Pierce County used the public resources and facilities of Pierce County to promote Proposition 1, a 2003 general election ballot proposition. A report to the Full Commission was made at the December 2, 2004, Special Commission Meeting, in which the Commission agreed to hear this case as an enforcement matter. Staff is requesting the Commission to reconsider its directive to hold an enforcement hearing.

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Disposition: Pending

King County Rural Library District, Bill Ptacek, Director (45-Day Citizen Action Letter) – Case #05-125; Investigator: Kurt Young

Date Received: December 2, 2004

Date Started: December 8, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A citizen action (45-day letter) was filed with the Office of the Attorney General and with the King County Prosecutor’s Office, by Will Knedlik alleging violations of RCW 42.17.130 by the King County Rural Library District, in accordance with RCW 42.17.400. The citizen action letter alleged that the King County Rural Library System (KCLS) violated RCW 42.17.130 by undertaking the following activities for the September 14, 2004, primary election bond measure, King County Proposition #1: 1) producing publications that repeated misstatements of central facts to District taxpayers to misinform voters affirmatively; 2) making repeated misuses of public assets, facilities and personnel to promote highly material information; 3) making wrongful gifts of public property to fund its associated campaign operation; 4) wrongfully exploiting the prestige of this state’s judiciary to boot strap credibility for all pivotal misstatements on which its disinformation program relied.

As part of this investigation, PDC staff also reviewed information regarding the activities undertaken by KCLS for other public information efforts and community outreach going back several years. A report from PDC staff was made to the Commission at the January 25, 2005, Commission meeting. The Commission dismissed the allegation that the KCLS made wrongful gifts of public property to the ballot committee supporting its capital bond measure. The Commission also dismissed the allegation that the KCLS wrongfully exploited the prestige of the state’s judiciary by using the title “judge” when referring to two of its board members who are King County Superior Court judges. The Commission determined that the remaining issues should be heard at an enforcement hearing before the Full Commission. Staff is requesting the Commission to reconsider its directive to hold an enforcement hearing.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Scheduled for Brief Enforcement Hearing:

Moran, Karen --Case #04-315; Investigator: Sally Parker

Date Received: November 10, 2003

Date Started: November 25, 2003

Section of Law: RCW 42.17.080 & .090

Status: Investigation Complete

Summary: A complaint was received from Scott Hamilton alleging that Karen Moran, a candidate for Sammamish City Council, failed to report telemarketing phone calls that were made in support of her candidacy. A brief enforcement hearing has been scheduled for March 31, 2005.

Disposition: Pending

DeVleming, Mike --#05-005; Investigator: Kurt Young

Date Received: July 1, 2004

Date Started: July 14, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Sally Jackson alleging that Mike DeVleming, mayor of Spokane Valley used city facilities and email system to produce electronic messages in support of the Dino Rossi Campaign for Governor. A brief enforcement hearing has been scheduled for March 31, 2005.

Disposition: Pending

Cases Closed

The following cases were closed as a result of enforcement hearings: (Respondents may appeal the results of enforcement hearings. For the results of appeals, see “Compliance” and “Results of Enforcement” on the PDC’s home page at www.pdc.wa.gov)

Reports to Commission:

None.

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Full Enforcement Hearings:

None.

Brief Enforcement Hearings: For the results of “Group Enforcement” brief enforcement hearings, other than from investigations, see “Compliance” and “Results of Enforcement” on the PDC’s home page at www.pdc.wa.gov)

Skamania County Republican Party-Case #04-666; Investigator: Sally Parker

Date Received: June 8, 2004

Date Started: June 23, 2004

Section of Law: RCW 42.17.080 & .090

Status: Investigation Complete

Summary: A complaint was received from James McKnight alleging that the Skamania County Republican Party failed to file C-3 and C-4 reports disclosing contribution and expenditure activities for several years.

Disposition: A brief enforcement hearing was held on February 16, 2005. The Presiding Officer found that The Skamania County Republican Party committed multiple violations of RCW 42.17.080 and .090 by failing to timely disclose contribution and expenditure information for activities undertaken for calendar years 2000, 2001, 2002, 2003, and a portion of 2004. It was also found they violated RCW 42.17.040 by failing to timely file Committee Registration Statements disclosing material changes in the committee information that included new committee officers and principal decision makers, and selecting a reporting option for calendar years 2001, 2002 and 2003. A \$500 penalty was assessed, of which \$200 was suspended on the condition that no further violations of RCW 42.17 are committed for two years from the date of the order.

The following cases were dismissed with the concurrence of the chair during this period: (The full text of the dismissal letters issued can be viewed at www.pdc.wa.gov. Click on “Compliance” and “Dismissal of Complaints.”)

Foote, Jr., H. M. -- Case #02-292; Investigator: Sally Parker

Date Received: April 1, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: April 15, 2002

Section of Law: RCW 42.17.130 and .510

Status: Investigation Complete

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Summary: A complaint was received from Robert Awford alleging that Michael Foote used the facilities of King County Water District #54 to produce and distribute a flyer that supported or opposed candidates for Des Moines City Council during the 2001 City Council elections. A complaint alleging the same violation was received from Dave Kaplan. Mr. Kaplan’s complaint was combined with Mr. Awford’s complaint.

Disposition: Dismissed with the concurrence of the chair. It was found that the flier in question was circulated the day before the November 2001 election, not the September election as indicated in Mr. Awford’s complaint. After investigating the complaint about the offensive campaign flier, Sgt. Bob Collins of the Des Moines Police Department and Mike Hogan of the King County Prosecuting Attorney’s office, said there was not enough evidence to determine the source of the flyer. Sgt. Collins said Mr. Awford’s statement to the police indicated that only a portion of the document being copied was seen, and Mr. Awford could not definitively state that it was the same document that was later distributed in the community. Mr. Foote denied under oath reproducing the campaign flyer. The flyer did not contain sponsor identification and staff was unable to obtain, conclusive evidence that Mike Foote used King County Water District #54 facilities to copy the flyer in question or that he distributed the flyer.

Pierce County Fire District 13 (Officials) --Case #04-453; Investigator: Sally Parker

Date Originally Received: September 20, 2002 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from David J. Kovanen alleging that officials from Pierce County Fire District 13, used the fire district facilities to produce and distribute a letter addressed that supported a local ballot proposition, in response to information distributed by a private citizen in opposition to the local ballot proposition.

Disposition: Dismissed with the concurrence of the chair. It was found that Pierce County Fire District 13 sent out the mailing in response to what District officials perceived as “*misstatements of fact*” that were being disseminated in the community, and they believed that by sending out the mailing to “*set the record straight*” was part of “normal and regular conduct” for the District. As part of the mailing, a two-page letter contained language such as: 1) “*But what the District wants to do is enhance an already successful program, by implementing paramedic service in this district.*” and 2) *The proposition is worthy of voter*

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support, because the district cannot improve further without it.” The letter took issue with what it stated were “*significant factual inaccuracies and contentions that are simply untrue.*” In addition, the Fire District posted a statement on the Dash Point Community sign board promoting the Ballot Measure by stating “PARAMEDICS – YES YOUR FIRE FIGHTERS” While there was evidence to support allegations that officials of Pierce County Fire District 13 used District resources to promote Proposition 1, a number of changes occurred at the District including: 1) a Commissioner of Pierce County Fire District 13 at the time of the alleged violations occurred resigned; 2) a fire chief was terminated and members of the fire department senior staff have either resigned or been replaced; and 3) a Citizen’s Oversight and Advisory Board was appointed shortly after the election to oversee department finance, operations and management. Given the above-noted changes at the District and the complainants request to withdraw the complaint, no formal enforcement action was pursued in this instance.

Cowlitz County Commissioners and Public Facilities District Officials --Case #04-455; Investigator: Suemary Trobaugh

Date Originally Received: March 17, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Steve Dragich alleging that Cowlitz County Commissioners and Public Facilities District (PFD) officials used the facilities of their respective public agencies to support a local ballot proposition.

Disposition: Dismissed with the concurrence of the chair. It was found that the PFD was permitted under RCW 36.100.160 to expend funds for preparation and distribution of information to the general public promoting, advertising, improving, developing, operating, and maintaining facilities of the district, so long as the district does not prepare and distribute information to the general public for the purpose of influencing the outcome of a district election. The PFD paid for three newspaper ads, each of which ran on multiple occasions, to provide information to the public about the project, and because the facilities district was new and the PFD Board wanted to educate the public as to its existence, and its progress on the project. The PFD was aware of the prohibition of RCW 42.17.130, and believed it was in compliance with the law. The primary purpose of the ads was to increase public awareness of the PFD, to explain the project, including that the \$6.3 million cost would be funded by county sponsored bonds and state granted rural development funds, and that the bonds would be repaid

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with proceeds from an annual sales tax rebate. The ads also explained that operating the facility was projected to be 90 percent self-sufficient within three years of completion and that the PFD was considering a lodging tax to pay for the remaining 10 percent of operating revenue. The discussion of the proposed lodging tax was not the primary focus of the ads, and thus did not support or oppose a local ballot proposition.

Sound Transit (Officials)--Case #04-457; Investigator: Suemary Trobaugh

Date Originally Received: August 29, 2002 (Investigation previously suspended-per injunction)

Date Started: April 28, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Tim Eyman, alleging that officials of Sound Transit used the transit facilities to oppose a statewide initiative, Initiative #776.

Disposition: Dismissed with the concurrence of the chair. It was found that Sound Transit's 2002 media efforts were consistent with its media outreach programs as verified by documents indicating they spent \$500,075, \$314,643, \$1,049,534, and \$1,429,497, in calendar years 2000, 2001, 2002, and 2003, respectively, related to advertising agency programs and services. Sound Transit's marketing manager stated that expenditures for 2004 and 2005 remained the same or were projected to increase consistent with an increase in services. In addition, the 2002 media plan occurred prior to the filing of I-776, and that advertising was intended to create awareness of the overall activities of the agency, sometimes referred to as “image ads,” did not appear after July 15, 2002. None of the advertisements placed by Sound Transit mentioned the ballot issue or funding for the agency, and the evidence supported that the advertisements were part of the normal and regular conduct of the agency to distribute information to the general public about its programs and services.

Davis, John—Case #05-069; Investigator: Tony Perkins

Date Received: September 3, 2004

Date Started: September 14, 2004

Section of Law: RCW 42.17.080 and .090

Status: Investigation Complete

Summary: A complaint was received from Kevin Kemp alleging that John Davis, a candidate for State Senator in the 17th Legislative District failed to timely file C-4 reports disclosing contribution and expenditure activities.

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Disposition: Dismissed with the concurrence of the chair. It was found that candidates in the 2004 primary election were required to file C-4 reports 21 and 7 days before that election. The 21-day pre-primary C-4 report covered the period July 1 through August 17 and was due August 24, 2004. Therefore, no monthly C-4 report was due on August 10, 2004 for July activities. The John Davis campaign timely filed its 21-day pre-primary election C-4 report, correctly covering the period of July 1 through August 17, 2004, on August 18, 2004. Thus, the campaign timely filed those campaign reports.

Waadevig, Paul—Case #05-070; Investigator: Tony Perkins

Date Received: September 3, 2004

Date Started: September 14, 2004

Section of Law: RCW 42.17.080 and .090

Status: Investigation Complete

Summary: A complaint was received from Kevin Kemp alleging that Paul Waadevig, a candidate for State Senator in the 17th Legislative District failed to timely file C-4 reports disclosing contribution and expenditure activities.

Disposition: Dismissed with the concurrence of the chair. It was found that candidates in the 2004 primary election were required to file C-4 reports 21 and 7 days before that election. The 21-day pre-primary C-4 report covered the period July 1 through August 17 and was due August 24, 2004. Therefore, no monthly C-4 report was due on August 10, 2004 for July activities. The Paul Waadevig campaign timely filed its 21-day pre-primary election C-4 report, covering the same period, on August 23, 2004. Thus, the campaign timely filed those campaign reports.

Community for Des Moines—Case #05-071; Investigator: Sally Parker

Date Received: September 7, 2004

Date Started: September 21, 2004

Section of Law: RCW 42.17.510

Status: Investigation Complete

Summary: A complaint was received from Richard Benjamin, an incumbent Des Moines City Councilmember, alleging that Community for Des Moines, a political committee registered in support of a September 14, 2004, local ballot proposition, sponsored political advertising that failed to contain the proper sponsor identification.

Disposition: Dismissed with the concurrence of the chair. It was found that Community for Des Moines paid for and distributed a flyer prior to the 2004 primary election entitled “*Corrections to Richard Benjamin’s Mailer.*” The flyer

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contained the statement, “*Proudly Refuted by: Community for Des Moines, 27013 Pacific Hwy S. #278 Des Moines, WA 98198.*” in the top right corner of the front page. The text did not specifically state that it was paid for by Community for Des Moines. A Sponsor Identification Warning Letter was sent to Community For Des Moines advising them of the proper format for sponsor identification in political advertising. Although the text did not specifically state who paid for the flyer, by using the language “Proudly Refuted by” it was clear that Community for Des Moines was responsible for the flyer.

Castellar, Evelyn—Case #05-075; Investigator: Suemary Trobaugh

Date Received: September 22, 2004

Date Started: October 4, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Shari Coates alleging that Evelyn Castellar, a Federal Way School Board Member, used the facilities of the Federal Way School District to support Referendum #55, a statewide referendum dealing with charter schools, during a Federal Way School Board meeting.

Disposition: Dismissed with the concurrence of the chair. It was found that the Federal Way School Board voted in favor of a resolution requesting the legislators from the 30th and 33rd Legislative Districts to work toward passing a bill that supported charter schools. The agenda for the board meeting indicated under the general business portion of the meeting that the public would have an opportunity to comment, and school board member comments; however the agenda made no mention of discussion of R-55 or Charter Schools. At the next Federal Way School Board meeting, public notice was provided that the board would be making a decision regarding a resolution about Charter Schools. The meeting minutes reflect that a resolution was discussed by all five board members, and that public comments were made by nine individuals. Although Ms. Castellar should have confined her remarks to the 2003 resolution, it does not appear that Ms. Castellar intended to deny the public an opportunity to present comments opposing R-55. Ms. Castellar was cautioned that unless there is an agenda item to discuss a pending resolution, with proper notice given to the public, comments made at board meetings may not promote or oppose ballot propositions.

Bock, Candice—Case #05-078; Investigator: Suemary Trobaugh

Date Received: September 28, 2004

Date Started: October 5, 2004

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Dennis Haugen alleging that Candice Bock, Assistant City Manager for the City of Lakewood, used the facilities of the City of Lakewood to support a local ballot proposition.

Disposition: Dismissed with the concurrence of the chair. It was found that monthly meetings were held as a business forum open to the public and advertised as “Coffee with the Mayor”. Ms. Bock represented the Mayor’s staff at those meetings. PDC staff found no evidence that there was a discussion during the September 10th meeting concerning inserting Proposition 1 information in garbage bills. Ms. Bock, as well as Sherri Thomas and John Simpson, the co-chairs of the Yes for Police committee and attendees of the meeting in question, all state that Ms. Bock did not discuss garbage bills during the meeting. Ms. Bock did state that she attended campaign committee meetings as a “*private citizen*,” and not as a representative of the City. PDC staff found no evidence that Ms. Bock campaigned at or used staff time to attend a campaign meetings.

Washington State Democratic Central Committee--#05-099--Investigator: Sally Parker

Date Received: October 14, 2004

Date Started: October 27, 2004

Section of Law: RCW 42.17.530

Status: Investigation Complete

Summary: A complaint was received from Julie Holbrook, alleging that political advertising sponsored by the Washington State Democratic Central Committee (WSDCC) on behalf of Geoff Simpson, a candidate for State Representative in the 47th Legislative District, contained false statements about Steve Altick, Mr. Simpson’s opponent and also a candidate for State Representative in the 47th Legislative District.

Disposition: Dismissed with the concurrence of the chair. It was found that the WSDCC sponsored a postcard stating in part, “*Steve Altick cooked up a good scam. He loaned money to his campaign and then charged 12% interest - twice the rate of banks. (The Washington State Public Disclosure Commission tracked it.) It’s no wonder he keeps running for State Representative.*” A footnote to the statement that the PDC tracked the campaign loans referenced the PDC’s web site at www.pdc.wa.gov. While Mr. Altick charged his campaign 8% interest for a loan in 2004, PDC disclosure reports show that Mr. Altick did charge 12% for four loans totaling \$1,350 during his 2002 campaign. The postcard did not state that Mr. Altick charged 12% interest for loans for the 2004 campaign. Information

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about a candidate’s loans is available on the PDC website as stated on the postcard. The statement that Mr. Altick loaned money to his campaign and then charged 12% interest is not a false statement, since he charged his campaign an interest rate of 12% during his 2002 campaign. Thus, there was no evidence that the postcard contained a false statement of material fact made about Mr. Altick.

36th District Democrats – Case #05-108; Investigator: Sally Parker

Date Received: October 27, 2004

Date Started: November 4, 2004

Section of Law: RCW 42.17.510

Status: Investigation Complete

Summary: A complaint was received from Patricia Herbold of the King County Republican Party alleging that the 36th District Democrats did not include sponsor identification on political advertising they distributed in the form of a “Sample Ballot” mailing. A warning letter was sent on November 1, 2004.

Disposition: Dismissed with the concurrence of the chair. It was found that the 36th District Democrats distributed a sample ballot prior to the 2004 general election. The Sample Ballot included the words, “36th District Democrats” but did not include an address or the words “Paid for by” or “Sponsored by.” A Sponsor Identification Warning Letter was sent to the 36th District Democrats, on November 1, 2004, advising them of the required elements for sponsor identification on political advertisements.

Building Industry Association of Washington– Case #05-113; Investigator: Kurt Young

Date Received: October 28, 2004

Date Started: November 16, 2004

Section of Law: RCW 42.17.100 & .510

Status: Investigation Complete

Summary: A complaint was received from Jean Brooks, Chair of Pierce County Democratic Party alleging a lack of sponsor identification on billboard advertising undertaken as an independent expenditure, and that the sponsor of the billboard advertisements failed to timely report the expenditures related to the costs of those billboards.

Disposition: Dismissed with the concurrence of the chair. It was found that the Building Industry Association of Washington (BIAW) was the sponsor of the Pierce County billboard along I-5, as well as a number of other billboards. BIAW purchased political advertising and sponsored a number of similar billboards as independent expenditures in support of the candidacy of Rob McKenna for the

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office of Attorney General. The billboards other than the billboard along I-5 noted in the complaint appear to have contained a complete sponsor identification as required for an independent expenditure. There were a few billboards that were paid for by BIAW which failed to include proper sponsor identification as required by law. However, the reason for the omission was a mistake by the advertiser, Clear Channel Outdoor which changed the content of the advertising from what BIAW approved. Clear Channel was responsible for the missing sponsor identification, and when notified of the oversight by the BIAW, Clear Channel immediately corrected the billboards to include proper sponsor identification. Thus, no enforcement action was warranted against Clear Channel Outdoor or BIAW.

Cases Referred To Attorney General For Further Action

Washington Education Association—Case #01-002; Investigator: Lori Anderson

Date Received: August 15, 2000

Date Started: August 18, 2000

Section of Law: RCW 42.17.760

Status: Investigation Complete

Summary: A complaint was received from the Evergreen Freedom Foundation and public school employees alleging that the Washington Education Association (WEA) and Washington School Districts are in violation of RCW 42.17.680 and 42.17.760. The complaint alleges that Washington School Districts are in violation of RCW 42.17.680 by withholding dues and fees from employees' wages that are used by the WEA and the National Education Association (NEA) for contributions to political campaigns. The complaint also alleges that the WEA is violating RCW 42.17.760 by using agency shop fees for political contributions and expenditures without the affirmative authorization of non-members. The complaint was forwarded to the PDC by the Attorney General's Office following its receipt of the complaint from EFF. The complaint was filed with the Attorney General's Office and all County Prosecuting Attorneys requesting that an action be commenced in the courts to address the apparent violations of RCW 42.17. The complaint said that if an action were not commenced in court the complainant would seek appropriate legal and equitable relief pursuant to RCW 42.17. RCW 42.17.400(4) provides a 45-day time period before a complainant may take steps to initiate a citizen's action in superior court.

Disposition: The Commission accepted a Stipulation of Facts, Violations and Recommendations, found that the Respondent committed an apparent violation of

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RCW 42.17.760, stipulated to as actual violations, and referred the matter to the Attorney General’s Office.

Thurston County Superior Court Disposition: The Attorney General’s Office filed suit in Thurston County, and the case went to trial in Thurston County Superior Court. The Thurston County Superior Court found the Respondent intentionally violated RCW 42.17.760, and assessed a total civil penalty of \$400,000. The Washington Education Association has appealed that decision.

Permanent Offense, Permanent Offense Incorporated, Traffic Improvement Initiative Committee, and Tim Eyman—Case #02-281; Investigator: Kurt Young; (Also received 45-Day Letter of Complaint)

Date Received: February 6, 2002

Date Started: February 6, 2002

Section of Law: RCW 42.17.080, .090, .120, & .125

Status: Investigation Complete

Summary: A complaint was filed by PDC Executive Director Vicki Rippie against Permanent Offense, Permanent Offense Incorporated, Traffic Improvement Initiative Committee, and Tim Eyman alleging the following: 1) failure to properly report committee expenditures, including the purpose of those expenditures; 2) concealing the fact that committee funds were expended to pay Mr. Eyman for compensation for the work he performed on behalf of Permanent Offense; 3) use of committee funds to pay for Mr. Eyman’s personal expenses. In addition, a “45-day letter of complaint” was filed by Richard A. Smith and Knoll Lowney, attorneys with Smith & Lowney, PLLC, representing Permanently Offended, with the Office of the Attorney General and the County Prosecutor’s Offices in King, Snohomish and Thurston counties against Permanent Offense, Permanent Offense, Inc., Traffic Improvement Initiative, Tim Eyman, Karen Eyman, and Suzanne Karr alleging violations similar to those outlined in the PDC complaint.

Disposition: A report to the Commission was presented at its special April 9, Commission meeting. The Commission found that the Respondent committed multiple apparent violations and referred the matter to the Attorney General’s Office.

National Education Association—Case #02-282; Investigator: Suemary Trobaugh; (45-Day Letter of Complaint)

Date Received: January 31, 2002

Date Started: February 6, 2002

Section of Law: RCW 42.17.040, .080, .090, .680 and .760

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Status: Investigation Complete

Summary: On January 31, 2002, the Evergreen Freedom Foundation, Lowell Johnson, Carrie Riplinger, Susan Kobes and David Williams, through attorney Jeanne Brown filed a citizen’s action letter under RCW 42.17.400(4) with the Office of the Attorney General and the State of Washington’s County Prosecutors’ Offices. The complaint alleged violations by the NEA’s Ballot Measure/Legislative Crisis and Media Campaign Fund of 1) RCW 42.17.040 et. seq (failure to register as a political committee); 2) violations of RCW 42.17.680(3) (diverting a portion of an employee's wages or salaries for contributions to political committees without the written request of the employee); and 3) violations of RCW 42.17.760 (using agency shop fees paid by non members to influence an election without written authorization by the Individual). On February 6, 2002, the Office of the Attorney General officially notified the PDC that they were referring the matter to the PDC for investigation. PDC Staff completed a Preliminary Report of Investigation and prepared a memorandum to Commission members concerning Staff’s findings and recommendation.

Disposition: On April 9, 2002, the matter was on the Commission’s agenda as a report to the Commission. In light of the complaint the Evergreen Freedom Foundation filed against the NEA in Thurston County Superior Court on April 8, 2002 under provisions of RCW 42.17.400(4), the Commission accepted Staff’s recommendation that it take no action in this case. On August 23, 2002, Thurston County Superior Court Judge Paula Casey dismissed the lawsuit filed by EFF against NEA. Judge Casey’s dismissal was based on a decision by the WA State Court of Appeals in State ex rel. Evergreen Freedom Foundation v Washington Education Association, No. 25272-4-II, where the court stated that “Before the 10-day period¹ had passed after EFF’s second letter to the AG, the AG forwarded the allegations to the PDC for investigation...Because the AG acted before the end of the 10-day period, EFF could not bring a citizen’s action lawsuit under RCW 42.17.400...” By a unanimous vote, the Commission dismissed the allegations that NEA violated RCW 42.17.040 and 42.17.680.

On October 2, 2002, at a special Commission meeting, by a unanimous vote, the Commission dismissed the allegations that NEA violated RCW 42.17.040 and

¹ RCW 42.17.400 states: “The citizen action may be brought only if the attorney general...ha(s) failed to commence an action hereunder within forty-five days and after such notice and such person has thereafter further notified the attorney general...that said person will commence a citizen’s action within ten days upon their failure to do so...”

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

42.17.680. By a unanimous vote, the Commission found multiple apparent violations of RCW 42.17.760 by the NEA when it used agency shop fees to make contributions or expenditures to influence an election or to operate a political committee without authorization from the employees. The Commission found that given the insufficiency of its penalty authority, in lieu of holding an enforcement hearing, the Commission referred the above referenced apparent violations to the Washington State Attorney General's Office for appropriate action pursuant to RCW 42.17.360 and .395 and WAC 390-37-100.

**Hopkins, Hank/Environmental Materials Transport, LLC--Case #03-153;
Investigator: Sally Parker**

Date Received: April 15, 2002

Date Started: April 19, 2002

Section of Law: RCW 42.17.105 & .120

Status: Investigation Complete

Summary: This case is related to PDC Case No. 02-296. Hank Hopkins as President of Environmental Materials Transport, LLC (EMTLLC) was added as a respondent by PDC staff alleging that Mr. Hopkins made contributions in excess of \$5,000 within 21 days of the 2001 general election by contributing \$20,000 to Don Wasson's political committee to support Des Moines City Council candidates Petersen, Benjamin and Steenrod. It was further alleged that Mr. Hopkins and EMT LLC concealed the source and amount of an initial \$1,000 payment that was made to Don Wasson and his political committee to support the campaigns of Gary Petersen and Richard Benjamin. In addition, it is also alleged that Mr. Hopkins and EMT LLC concealed the source and amount of contributions that were made to Mr. Wasson's political committee totaling \$20,000 that also supported the 2001 Council campaigns of Mr. Petersen, Mr. Benjamin, and Ms. Steenrod.

Disposition: An Enforcement hearing before the Full Commission was held on March 25, 2003. The Commission found multiple apparent violations of RCW 42.17.120 by the Respondents for concealing contributions used to benefit candidates in the 2001 Des Moines City Council election. Given the insufficiency of its penalty authority, the Commission referred the apparent violations to the Attorney General's Office for appropriate action.

Voters Education Committee--#05-027; Investigator: Phil Stutzman

Date Received: September 9, 2004

Date Started: September 9, 2004

Section of Law: RCW 42.17.040, .080, .090 & .120

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Status: Investigation Complete

Summary: The Public Disclosure Commission staff became aware that on or about September 2, 2004, advertisements began to be broadcast on television stations around Washington State that were identified as being paid for by Voters Education Committee (VEC). The ads concerned Deborah Senn, a candidate for Attorney General, who was on the September 14, 2004 primary election ballot. The Voters Education Committee had filed as a Section 527 organization with the Internal Revenue Service listing its purpose as “a non-partician (sic), non-profit, non-discriminatory, political action committee which provides issue education.” PDC staff reviewed the advertisement, to determine whether the content of the advertisement constituted “issue advocacy” as claimed by VEC, or if it constituted “express advocacy” as contemplated by the Washington Supreme Court. PDC staff believed the advertisement, taken as a whole, represented an assault on Ms. Senn’s character because the content went beyond taking issue with Ms. Senn’s actions as Insurance Commissioner, and assailed her integrity and credibility. That activity made VEC and its agents a political committee under state law and required them to register and file detailed reports of contributions received and expenditures made with the Public Disclosure Commission.

Disposition: This matter was presented as a report to the Commission on September 25, 2004, at a special Commission meeting. The Commission found apparent violations by VEC of RCW 42.17.040 for failing to timely register as a political committee, 42.17.080 and 42.17.090 for failing to file detailed reports disclosing contribution and expenditure activities, and RCW 42.17.120 for concealing the amount and identity of the source(s) of their contributions and the amount and recipients of their expenditures. The Commission referred this matter to the Washington State Attorney General's Office for appropriate action, including seeking a court order compelling Voters Education Committee to file the disclosure reports required by RCW 42.17.040 through 42.17.090.

Part II

Active Investigations

Investigations In Progress

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Benjamin, Richard; Peterson, Gary; Case #02-296; Investigator: Sally Parker

Date Received: April 15, 2002

Date Started: April 19, 2002 (Hearing held March 25, 2003 for portion of issues)

Section of Law: RCW 42.17.120, .080, .090, .240

Status: Under Investigation

Summary: A complaint was received from Dave Kaplan alleging that Gary Peterson failed to disclose information on his Personal Financial Affairs Statement (PDC Form F-1); that consulting services were provided by Don Wasson to two Des Moines City Council candidates that exceeded the mini reporting limits; that the Des Moines Marina Association made contributions to three candidates for Des Moines City Council that were not disclosed; that a political advertisement was produced and distributed in the City of Des Moines without sponsor identification; that additional political advertisements supporting or opposing candidates for Des Moines City Council failed to contain proper sponsor identification and were not timely reported. On May 1, 2002, a complaint addressing several of the same issues was received from Stanley M. Scarvie on behalf of Citizens for Des Moines. Mr. Scarvie's complaint has been combined with Case #02-296.

In addition, Don Wasson was added as a Respondent and the issues concerning Mr. Wasson, as well as the issues concerning other Respondents named in the original complaint, have been handled through an enforcement hearing held March 25, 2003. (See Results of Enforcement Hearings on PDC Web page under Compliance.) The remaining issues deal with allegations of concealment (RCW 42.17.120) by Richard Benjamin and Gary Peterson, reporting issues (RCW 42.17.080 and .090) by Gary Peterson, and financial affairs reporting issues (RCW 42.17.240) by Gary Peterson.

Disposition: Pending

Yes on Initiative 18 Committee-- Case #04-438; Investigator: Phil Stutzman

Date Received: February 13, 2004

Date Started: February 19, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Steve Williamson, Executive Secretary of the King County Labor Council, AFL-CIO alleging that the Yes on Initiative 18 Committee (Yes on I-18), a political committee supporting a local ballot proposition in King County, failed to file C-3 and C-4 reports of

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

contribution and expenditure activities, and alleging that Yes on I-18 failed to disclose a \$20,000 payment to Tim Eyman in exchange for services he performed in support of the initiative efforts.

Disposition: Pending

TME Capital Group--Case #04-445; Investigator: Sally Parker

Date Received: April 5, 2004

Date Started: April 5, 2004

Section of Law: RCW 42.17.040, .080, .090, .105, 120,780

Status: Under Investigation

Summary: A PDC staff generated complaint was filed by PDC Executive Director Vicki Rippie, after PDC staff noted, while assisting the Attorney General's Office following referral of Case No. 03-153 by the Commission to the Attorney General's office, that TME Capital Group, LLC (TME) and its investors (Elling Halvorson, Catherine Boshaw, Doug Edlund, John Taylor, Lon Halvorson, E. Kent Halvorson, Tim Teteak and David Chevalier) may have violated the following: 1) RCW 42.17.040 through 42.17.090 by failing to register and report as a political committee when TME and its investors raised and spent funds to support candidates; 2) RCW 42.17.105(8) by making contributions to another political committee exceeding \$5,000 with 21 days of the 2001 general election; 3) RCW 42.17.780 by reimbursing \$19,000 to Monarch Enterprises for contributions made to a political committee that supported candidates in the 2001 general election; and 4) RCW 42.17.120 by concealing the source of the contributions received and expenditures made to support Des Moines City Council candidates.

Disposition: Pending

Bainbridge Island Fire Department Officials--04-532; Investigator: Kurt Young

Date Received: April 30, 2004

Date Started: May 13, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Ken Guy alleging that Bainbridge Island Fire Department Officials used fire department resources and facilities by distributing a flyer in support of a local May 18, 2004 ballot proposition.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Vote Yes on Initiative 891—Case #04-709; Investigator: Kurt Young

Date Received: June 23, 2004

Date Started: June 30, 2004

Section of Law: RCW 42.17.080 and .090

Status: Under Investigation

Summary: A complaint was received from Charles Creso alleging that the Vote Yes on Initiative 891, a statewide ballot proposition committee failed to report debts, obligations or in-kind contributions for signature gathering efforts undertaken on behalf of Initiative 891.

Disposition: Pending

Oberquell, Diane—Case #05-077; Investigator: Jennifer Hansen

Date Received: September 27, 2004

Date Started: October 5, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from William Pilkey alleging that Diane Oberquell, an incumbent Thurston County Commission and a candidate for re-election, used the facilities of Thurston County to support her candidacy for re-election.

Disposition: Pending

Sutherland, Doug—Case #05-079; Investigator: Sally Parker

Date Received: September 27, 2004

Date Started: October 5, 2004

Section of Law: RCW 42.17.080, .090 & WAC 390-16-034

Status: Under Investigation

Summary: A complaint was received from Lisa McShane, Campaign Chair of Citizens Protecting Our Water and Forests, alleging that Doug Sutherland, the incumbent Public Lands Commissioner and a candidate for re-election, failed to disclose the occupation and employer information for individuals that contributed more than \$100 to his campaign, and that the campaign failed to report in-kind contributions for professional services provided to the campaign.

Disposition: Pending

Snohomish Health District--Case #05-096; Investigator: Tony Perkins

Date Received: August 15, 2004

Date Started: August 20, 2004

Section of Law: RCW 42.17.130 & .190

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Status: Under Investigation

Summary: A complaint was received from Norm Kjono alleging that officials of the Snohomish County Health District used county facilities to support a statewide ballot proposition, Initiative 890, and also used the facilities to allegedly support an initiative to the Washington State Legislature, Initiative 332.

Disposition: Pending

Republican Governor’s Association & Republican Governor’s Association WA ST PAC—Case #05-100; Investigator: Kurt Young

Date Received: October 14, 2004

Date Started: October 27, 2004

Section of Law: RCW 42.17.080, .090 & .510

Status: Under Investigation

Summary: A complaint was received from Paul Berendt, Chair of the Washington State Democratic Central Committee (WSDCC), alleging that the Republican Governor’s Association (RGA) is an unregistered political committee that failed to register and report with the Public Disclosure Commission. The complaint also alleges that ads sponsored by Republican Governor’s Association Washington PAC, were in fact sponsored by Republican Governor’s Association, and that the RGA should be required to register and report as a political committee, and that it should list the top five contributors to it on broadcast political advertisements sponsored by the RGA PAC.

Disposition: Pending

Hope, Michael—Case #05-101; Investigator: Sally Parker

Date Received: October 15, 2004

Date Started: October 28, 2004

Section of Law: RCW 42.17.640

Status: Under Investigation

Summary: A complaint was received from Hans Dunshee, a candidate in the 44th Legislative District, alleging that Michael Hope, also a candidate in the 44th Legislative District accepted funds and attributed them for the primary election after the date allowed to receive primary contributions, and that Mr. Hope accepted contributions from affiliated or related entities that exceeded contribution limits.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

44th Legislative District Republican Committee —Case #05-102; Investigator: Sally Parker

Date Received: October 15, 2004

Date Started: October 28, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Hans Dunshee alleging that the 44th Legislative District Committee produced and distributed a large that benefited candidates for public office during the 2004 election cycle and has not reported any contribution and expenditure activities disclosing that mailing.

Disposition: Pending

Leid, James—Case #05-104; Investigator: Jennifer Hansen

Date Received: October 20, 2004

Date Started: October 28, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from D. Scott Bauer, Deputy Prosecuting Attorney for Walla Walla County alleging that James Leid, a candidate for Walla Walla County Commissioner, failed to timely file C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by his campaign.

Disposition: Pending

Ruderman, Laura—Case #05-106; Investigator: Kurt Young

Date Received: October 28, 2004

Date Started: October 28, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Peter Abbarno, Executive Director of the Washington State Republican Party alleging that Laura Ruderman, a candidate for Secretary of State, violated RCW 42.17 by failing to timely report orders placed and obligations for media buys for political advertising made by Media Strategies and Research (MSR).

Disposition: Pending

Republican State Leadership Committee (RSLC) –Case #05-107; Investigator: Sally Parker

Date Received: October 21, 2004

Date Started: October 29, 2004

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Section of Law: RCW 42.17.093

Status: Under Investigation

Summary: A complaint was received from C. Steven Fury on behalf of the Deborah Senn campaign alleging that the Republican State Leadership Committee (RSLC) filed two C-5 reports without listing contributors that are a corporation which has a place of business in the state of Washington that contributed more than \$25 during the current calendar year. The RSLC gave \$1,265,000 to its related PAC named “Republican State Leadership Committee Washington PAC” that is registered with the PDC and filed a C-1, C-3 and C-6. The reports disclosed that the group will spend money opposing Deborah Senn.

Disposition: Pending

People for Responsible Government– Case #05-112; Investigator: Tony Perkins

Date Received: October 26, 2004

Date Started: November 16, 2004

Section of Law: RCW 42.17.040, .080 & .090

Status: Under Investigation

Summary: A complaint was received from Stephen Whitehouse, treasurer for Herb Baze, a candidate for Mason County Commissioner, alleging that People for Responsible Government produced and distributed advertising that was produced and distributed as an “issue ad”, but that it actually was “express advocacy” thus requiring the group to register and report as a political committee.

Disposition: Pending

Spokane Fire District 10– Case #05-114; Investigator: Kurt Young

Date Received: November 1, 2004

Date Started: November 16, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Jerry McCoury alleging that officials and/or employees of Spokane Fire District 10 used fire district’s resources to produce and distribute a flyer that supported a local fire district levy, and that they also produced a website

Disposition: Pending

Citizens for Ethics in Mason County Politics– Case #05-115; Investigator: Tony Perkins

Date Received: November 1, 2004

Date Started: November 16, 2004

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Section of Law: RCW 42.17.040, .080, .090 & .510

Status: Under Investigation

Summary: A complaint was received from David Overton alleging that the Citizens for Ethics in Mason County Politics (CEMCP) produced and distributed political advertising published in local newspapers that lacked sponsor identification, and that the group did not timely register and report contribution and expenditure activities as a political committee. As an alternative, he also alleged that CEMCP made an Independent Expenditure and failed to timely file a C-6 report disclosing the expenditure and that the advertisement failed to include the Top 5 Contributors in the sponsor identification.

Disposition: Pending

Telling-Poulsen, Soeren– Case #05-116; Investigator: Tony Perkins

Date Received: November 2, 2004

Date Started: November 16, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Dave Munro, treasurer for Campaign to Elect Joe Martin Sheriff alleging that Soeren Telling-Poulsen, candidate for Clallam County Sheriff, failed to timely file contribution and expenditure reports for numerous activities undertaken by his campaign.

Disposition: Pending

International Brotherhood of Electrical Workers (IBEW) Local 112 PAC– Case #05-122; Investigator: Jennifer Hansen

Date Received: November 9, 2004

Date Started: November 24, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Jami Lund with the Evergreen Freedom Foundation, alleging that IBEW Local 112 PAC improperly reported monetary contributions received by the PAC as anonymous contributions, and thus exceeded the threshold of \$300 for anonymous contributions received by a PAC for a calendar year.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Thurston County Republican Central Committee--Case #05-123; Investigator: Sally Parker

Date Received: November 10, 2004

Date Started: November 24, 2004

Section of Law: RCW 42.17.135

Status: Under Investigation

Summary: A complaint was received from Clean Government Watch, no address or contact person was listed alleging that the Thurston County Republican Central Committee (TCRCC) earmarked contributions they received to promote the candidacy of Ann Burgman, a candidate for State Representative in the 22nd Legislative District. It is alleged that TCRCC used those earmarked contributions to undertake an independent expenditure in opposition to Brendan Williams, also a candidate for State Representative in the 22nd Legislative District.

Disposition: Pending

Perfect Printing, Inc.– Case #05-124; Investigator: Jennifer Hansen

Date Received: November 19, 2004

Date Started: December 8, 2004

Section of Law: RCW 42.17.110

Status: Under Investigation

Summary: A complaint was received from Michael D. Williams alleging that Perfect Printing, Inc. a commercial advertiser in Prosser Washington, produced political advertising that supported or opposed a local Prosser ballot proposition, without timely disclosing the name and address of the person(s) that paid for the advertisement, and the nature and amount of consideration paid for the advertisement when requested by the PDC and public.

Disposition: Pending

Johnson, Wes– Case #05-126; Investigator: Tony Perkins

Date Received: December 2, 2004

Date Started: December 9, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Robert C. Harris alleging that Wes Johnson, an incumbent Mason County Commissioner, produced and distributed a mailer using Mason County facilities and resources that assisted his campaign for re-election.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Orozco, Juan– Case #05-134; Investigator: Tony Perkins

Date Received: February 5, 2005

Date Started: February 10, 2005

Section of Law: RCW 42.17.040, .080, .090, .100 & .510

Status: Under Investigation

Summary: A complaint was received from Debra Manjarrez, CPA, alleging that Juan Orozco produced and distributed a political advertisement that failed to include the sponsor identification, and that the costs were not disclosed to the public either reported by a political committee or disclosed as an independent expenditure.

Disposition: Pending

Washington State Democratic Central Committee– Case #05-136; Investigator: Tony Perkins

Date Received: February 25, 2005

Date Started: February 25, 2005

Section of Law: RCW 42.17.080, & .090

Status: Under Investigation

Summary: A complaint was filed by Vicki Rippie, Executive Director of the Public Disclosure Commission, alleging that the Washington State Democratic Central Committee (WSDCC) may have violated RCW 42.17.080 and .090 by failing to timely disclose information required for \$394,544 in contributions from individual donors, and by failing to timely disclose debts and orders placed that totaled \$704,815 for candidate support expenditures during the 2004 election cycle.

Disposition: Pending

Yousoufian, Armen--Case #05-137; Investigator: Sally Parker

Date Received: February 22, 2005

Date Started: March 2, 2005

Section of Law: RCW 42.17.040, .080, & .090

Status: Under Investigation

Summary: A complaint was received from Dan Schueler alleging that Armen Yousoufian violated RCW 42.17.040, .080, and .090 by sponsoring a recall effort of Dow Constantine, an incumbent King County Council member, by soliciting contributions to pay for the legal fees for the recall effort, without registering and reporting as a political committee.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Cases Under Review

Washington Breathe Alliance--Case #04-446; Investigator: Tony Perkins

Date Received: March 29, 2004

Date Started: April 8, 2004

Section of Law: RCW 42.17.200

Status: Under Review

Summary: A complaint were received from Ian Foraker, alleging that the Washington Breathe Alliance engaged in a grass roots lobbying campaign during the 2004 Legislative Session, and failed to timely file Grass Roots Lobbying Reports (PDC Form L-6) disclosing those activities as required by law.

Disposition: Pending

Goings, Calvin--Case #04-447; Investigator: Kurt Young

Date Received: April 2, 2004

Date Started: April 6, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint were received from Dale Washam a candidate for Pierce County Council, alleging that Pierce County Council member Calvin Goings, a candidate up for re-election to the Pierce County Council in 2004 used Pierce County resources and facilities to support his candidacy.

Disposition: Pending

Washington State Grange--Case #04-450; Investigator: Suemary Trobaugh

Date Received: April 21, 2004

Date Started: April 22, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Review

Summary: A complaint was received from Paul Berendt, Chair of the Washington State Democratic Central Committee (WSDCC), alleging that the Washington State Grange failed to report contribution and expenditure activities in support of a statewide ballot proposition.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Kirsch, Greg (Chehalis School District)--Case #04-451; Investigator: Suemary Trobaugh

Date Originally Received: October 28, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from John Panesko alleging that officials of the Chehalis School District used district facilities to produce and distribute newsletters that featured and supported incumbent school board member Larry Gueck, a candidate up for re-election in 2003.

Disposition: Pending

Hawe, William (Clallam County)--Case #04-452; Investigator: Kurt Young

Date Originally Received: September 11 and October 7, 2002 (Investigation suspended per injunction until April 27, 2004)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Soren Poulsen alleging that William Hawe, an incumbent Clallam County Sheriff and a candidate for re-election in 2002, used the facilities of Clallam County to support his candidacy for re-election.

Disposition: Pending

Stevens County Rural Library District (Officials) --Case #04-454; Investigator: Tony Perkins

Date Originally Received: January 21, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: Three complaints were received from Stan Long, Arlene Sparks and Karen Frostad, alleging that officials from Stevens County Library District used the district facilities to support a local ballot proposition.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Knezovich, Ozzie (Spokane County)--Case #04-458; Investigator: Kurt Young

Date Originally Received: September 6, 2002 (Investigation previously suspended-per injunction)

Date Started: April 28, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Annette Remshard, alleging that Ozzie Knezovich, President of the Spokane County Sheriff's Association, used Spokane County facilities to produce and distribute a political advertisement that endorsed six candidates for the Spokane Valley City council on the 2002 ballot, by including the address and phone number of a county facility in the sponsor identification.

Disposition: Pending

Anderson, Frank (City of Everett)--Case #04-459; Investigator: Tony Perkins

Date Originally Received: September 23, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Margaret Michele Hoverter alleging that Everett City Mayor Frank Anderson, a candidate up for re-election in 2003, used city facilities and resources to support his candidacy for public office.

Disposition: Pending

Koelker-Wheeler, Kathy--Case #04-531; Investigator: Sally Parker

Date Originally Received: August 28, 2003 (Investigation previously suspended-per injunction)

Date Started: May 14, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from former Renton Mayor Jesse Tanner, alleging that Kathy Koelker-Wheeler, an incumbent Renton City Council member and candidate for Renton Mayor in 2003, used Renton city facilities to promote her candidacy for public office.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Green, Michael (Nine Mile Falls School District)--Case #04-534; Investigator: Tony Perkins

Date Received: May 19, 2004

Date Started: May 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Byrd and Lynn Stuter, alleging that Michael Green, Superintendent of Schools for Nine Mile Falls School District No. 325-179, used the facilities of the district to support passage of school district ballot propositions that were placed on the March 9 and May 18, 2004 ballots. The complainants alleged that brochures produced by the school district were promotional in nature.

Disposition: Pending

Waadevig, Paul—Case #05-003; Investigator: Tony Perkins

Date Received: June 28, 2004

Date Started: July 9, 2004

Section of Law: RCW 42.17.080 and .090

Status: Under Review

Summary: A complaint was received from Lance Haun alleging that Paul Waadevig, a candidate for State Senator in the 17th Legislative District failed to report all of the contributions received on behalf of his candidacy.

Disposition: Pending

Lewis, Pete (Clarkston School District) --#05-004; Investigator: Kurt Young

Date Received: June 21, 2004

Date Started: July 13, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Fred Cook alleging that the Clarkston School District used school district facilities and resources to produce a publication that stated “Vote Yes” in support of the February 3, 2004 special levy election.

Disposition: Pending

Tanglewilde Park & Recreation District--#05-006--Investigator: Sally Parker

Date Received: July 2, 2004

Date Started: July 19, 2004

Section of Law: RCW 42.17.130

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Status: Under Review

Summary: A complaint was received from Joan Price alleging that the Tanglewilde Park & Recreation District used public resources and facilities to produce and distribute information in support of a November 2003 Maintenance and Operation levy, and that the facilities are currently being used to support a 2004 ballot proposition.

Disposition: Pending

Seattle Monorail Project--#05-007--Investigator: Tony Perkins

Date Received: July 14, 2004

Date Started: July 19, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Glenn Amster alleging that the Seattle Monorail Project, a public agency used public funds and resources to prepare and file a lawsuit challenging the legality of a local ballot proposition, Initiative 83, in opposition to the ballot proposition.

Disposition: Pending

Everton, Wayne--#05-016--Investigator: Sally Parker

Date Received: August 16, 2004

Date Started: August 17, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Dan O'Donnell alleging that Wayne Everton, Mayor of LaConnor, used city facilities to support Dino Rossi's Campaign for Governor by allowing a city meeting room to be used for political purposes without charging a fee.

Disposition: Pending

Pearce, Richard--#05-017--Investigator: Sally Parker

Date Received: August 12, 2004

Date Started: August 20, 2004

Section of Law: RCW 42.17.080, .090 & .241

Status: Under Review

Summary: A complaint was received from Michael Brown alleging that Richard Pearce, an incumbent Moses Lake City Council member and a candidate for Moses City Council in the 2003 election cycle failed to file an accurate Personal Financial Affairs Statements (PDC Form F-1) for the period 1999 through 2003 (due in 2000 through 2004), and that the campaign disclosure reports filed by

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Richard Pearce during the 2003 election failed to include all C-3 and C-4 information as required.

Disposition: Pending

Chow, Teddy--#05-026; Investigator: Kurt Young

Date Received: August 30, 2004

Date Started: August 30, 2004

Section of Law: RCW 42.17.530

Status: Under Review

Summary: A complaint was received from Evan Sperline alleging that Teddy Chow, a candidate for Grant County Superior Court claimed he falsely represented he had the endorsement of an organization, when in fact he did not have that endorsement.

Disposition: Pending

Waadevig, Paul—Case #05-072; Investigator: Tony Perkins

Date Received: August 30, 2004

Date Started: September 21, 2004

Section of Law: RCW 42.17.790

Status: Under Review

Summary: A complaint was received from William Schumacher, Chairman of the Cowlitz County Republican Central Committee alleging that Paul Waadevig, a Democratic candidate for State Senator in the 17th Legislative District, used campaign signs that were left over from a 2003 campaign for State Representative in the 19th Legislative District, in which he ran as a Republican, without obtaining permission of those 2003 contributors to his 19th Legislative District house campaign.

Disposition: Pending

Altick, Steve—Case #05-074; Investigator: Kurt Young

Date Received: September 1, 2004

Date Started: September 10, 2004

Section of Law: RCW 42.17.640

Status: Under Review

Summary: A complaint was received from John Meyers alleging that Steve Altick, a candidate for State Representative in the 47th Legislative District, received monetary and in-kind contributions from affiliated entities that exceeded the \$675 per election contribution limits for a legislative candidate.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Rabideau, C.J. “Jim”—Case #05-076; Investigator: Tony Perkins

Date Received: September 27, 2004

Date Started: October 5, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Review

Summary: A complaint was received from Rick Kent alleging that C. J. Rabideau, a candidate for Franklin County Commissioner, failed to file detailed reports disclosing contribution and expenditure activities undertaken by his campaign.

Disposition: Pending

Smith, Michele—Case #05-080; Investigator: Tony Perkins

Date Received: September 29, 2004

Date Started: October 5, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Review

Summary: A complaint was received from Shauna Ousse with the House Democratic Campaign Committee alleging that Michele Smith, a candidate for State Representative in the 25th Legislative District, failed to timely file reports of contribution and expenditure activities undertaken by her campaign.

Disposition: Pending

SEIU State Council--Case #05-097; Investigator: Tony Perkins

Date Received: October 11, 2004

Date Started: October 21, 2004

Section of Law: RCW 42.17.080, .090 & .120

Status: Under Review

Summary: A complaint was received from Robert Edelman alleging that the Service Employees International Union (SEIU) Washington State Council and its political committee are the same organization and as such committed violations of RCW 42.17. Specifically, Mr. Edelman alleged that the “Service Employees International Union (SEIU) Washington State Council”, a 527 organization registered with the Internal Revenue Service under the name “SEIU State Council SSF” and the Washington State political committee, “SEIU State Council” are all one entity, and that it has failed to report the true source of its contributions, in violation of RCW 42.17.080 and .090. He also alleges that SEIU State Council is concealing the source of its contributions in violation of RCW 42.17.120.

Disposition: Pending

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Selling, Joel—Case #05-105; Investigator: Tony Perkins

Date Received: October 22, 2004

Date Started: October 28, 2004

Section of Law: RCW 42.17.510

Status: Under Review

Summary: A complaint was received from Blair Anderson alleging that Joel Selling, a Candidate for State Representative in the 39th Legislative District, sponsored a political advertisement that failed to include his political party affiliation as required by law.

Disposition: Pending

Hunter, Ross – Case #05-109; Investigator: Sally Parker

Date Received: October 27, 2004

Date Started: November 16, 2004

Section of Law: RCW 42.17.530

Status: Under Review

Summary: A complaint was received from Patricia Herbold of the King County Republican Party alleging that Ross Hunter, a Democratic Candidate for State Representative in the 48th Leg District, falsely claimed the support of the Republican Party by appearing in a political advertisement he sponsored in which he is pictured standing next to an elephant with a “GOP” button.

Disposition: Pending

Boldt, Marc– Case #05-111; Investigator: Jennifer Hansen

Date Received: October 26, 2004

Date Started: November 16, 2004

Section of Law: RCW 42.17.080 & .105

Status: Under Review

Summary: A complaint was received from Roger Kell alleging that Marc Boldt, a candidate for Clark County Commissioner, failed to file Last Minute Contribution reports for four monetary contributions that his campaign received of \$1,000 or more during the 21-day period prior to the general election, and that Mr. Boldt did not timely file his C-4 reports disclosing contribution and expenditure activities during the campaign.

Disposition: Pending

Friends of the County Library --Case #05-121; Investigator: Tony Perkins

Date Received: January 21, 2003 & November 19, 2004

Date Started: November 19, 2004

Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.

Section of Law: RCW 42.17.080 and .090

Status: Under Review

Summary: Complaints were received from Arlene Sparks and Karen Frostad, alleging that the Friends of the County Library, a political committee that registered to oppose a local ballot proposition, exceeded the mini reporting limitations in opposing that ballot proposition on the 2002 general election ballot.

Disposition: Pending